



BOARD OF POLICE COMMISSIONERS

Minutes of the Regular Board of Police Commissioners Meeting Thursday, May 15, 2008

COMMITTEE OF THE WHOLE

The forum of the Detroit Board of Police Commissioners was held on Thursday, May 15, 2008, at 3:00 p.m., at Police Headquarters, 1300 Beaubien, Detroit, Michigan 48226.

ATTENDANCE

Board Members Present

Erminia Ramirez
Jim Holley **(ABS)**
Mohamed Okdie
Willie Hampton **(ABS)**
Ronald L. Griffin **(ABS)**

Department Personnel Present

Chief Ella M. Bully-Cummings
AC Robert Dunlap
AC Ralph Godbee
Cmdr. Gail Wilson-Turner
Lt. Charles Wilson
Lt. Robin Kirkwood-Farrah
Lt. Whitney Walton
Lt. Ronda Tillman
Lt. Donna Jarvis
Sgt. Rodney Cox
Sgt. William Sims
PO James Watson
Atty. Grant Ha

Board Staff Present

Dante' L. Goss, Executive Director (**ABS**)
Denise R. Hooks, Attorney/Supervising Inv.
Lawana Ducker, Personnel Director
Arnold Sheard, Chief Investigator
Leslie J. Griffin, Community Affairs Coordinator
P.O. Kent Cooper

OTHERS PRESENT

Lawanda Hail-Ruffin
Ron Scott

RECORDERS

Terence Bell
Robert Brown

1. CALL TO ORDER

Chairperson Ramirez called the meeting of the Detroit Board of Police Commissioners to order at 3:10 p.m.

2. APPROVAL OF AGENDA

The Agenda for May 15, 2008, was not presented given the lack of a quorum.

3. APPROVAL OF MINUTES

The Minutes for May 1, 2008, and May 8, 2008 were not presented because of the lack of a quorum.

4. BOPC OFFICER'S REPORT

1. CHAIRPERSON

2. SECRETARY REPORT

**SUSPENSION WITHOUT PAY OF POLICE OFFICER GORDON DAVIS,
BADGE 530, ASSIGNED TO NORTHEASTERN DISTRICT**

On May 2, 2008, Internal Affairs Alert Team was directed to respond to Eastpointe Police Department regarding the arrest of Police Officer Gordon Davis, badge 530, assigned to Northeastern District, for Violation of the Controlled Substance Act.

Detective David Ernatt, badge 200, assigned to the Eastpointe Police Department, stated that on May 2, 2008, he was conducting a fixed surveillance at Eight Mile Road and Gratiot. He stated that the area is known by the Eastpointe Narcotics Unit to be frequented by persons selling and purchasing illegal narcotics. On this same date, at approximately 5:55 p.m., he observed a white Chevrolet Blazer occupied by a lone white male, later identified as Officer Davis. Detective Ernatt continued to monitor and at approximately 6:05 p.m., a black four door vehicle occupied by a lone white male drove in front of Officer Davis' vehicle. Detective Ernatt observed Officer Davis flash his headlights on and off several times and the black vehicle came to an immediate stop. Officer Davis exited his vehicle, approached the black vehicle, leaned inside and appeared to hand something to the driver. Officer Davis then returned to his vehicle and the other vehicle left southbound on Gratiot from Eight Mile Road.

Detective Ernatt continued to watch Officer Davis, who remained inside his vehicle. Approximately ten minutes later, the black vehicle returned and pulled in front of Officer Davis' vehicle. Officer Davis exited his vehicle and entered the front passenger seat of the black vehicle. The two appeared to be looking at something near the center console of the vehicle. After approximately thirty to forty five seconds, Officer Davis exited the vehicle and returned to his vehicle. Officer Davis left the scene and proceeded eastbound on Eight Mile. Based upon his observation along with his training and experience, Detective Ernatt believed that a possible drug transaction had taken place.

Detective Ernatt requested a marked scout car with a uniformed officer. Sergeant Darnell Corsi, badge 206, of the Eastpointe Police Department responded and Officer Davis was subsequently stopped at Eight Mile Road and Cushing Street. Detective Ernatt observed an uncapped white pill bottle with the label torn off sitting near the center console of Officer Davis' vehicle. The bottle contained white tablets. Additionally, there were numerous white tablets lying on the passenger side floorboard, which appeared to be Vicodin.

Officer Davis was detained and Detective Ernatt recovered and placed on evidence fifty seven (57) Vicodin tablets along with Officer Davis' weapon, a Smith and Wesson .38 Special +P, #CFN7888.

Officer Davis advised Detective Ernatt that he had purchased Vicodin from the individual, a high school acquaintance two to three times prior.

Detective Ernatt advised writer that they were releasing Officer Davis pending further investigation and executive review.

The Alert Team read and audio taped a Drug Order to Officer Davis and conveyed him to Concentra Health Services for a Just Cause Drug Screen.

The Alert Team then conveyed Officer Davis to the Northeastern District where he was suspended by Sergeant Ian Becker, badge S-3007, assigned to the Northeastern District.

The Alert Team then conveyed Officer Davis to his residence to retrieve his department equipment and then to Eight Mile and Cushing to retrieve his vehicle.

Based upon the above facts and circumstances, it is recommended that Officer Davis be charged with, but not limited to, the following violation of the department Rules and Regulations:

CHARGE: CONDUCT UNBECOMING AN OFFICER, CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS; THIS BEING IN VIOLATION OF THE DETROIT POLICE DEPARTMENT MANUAL SERIES 100, DIRECTIVE 102.3 – 7.9, CONDUCT UNPROFESSIONAL, COMMAND 1.

Atty. Hooks stated she had spoken with Atty. Goldpaugh and he asked that the oral arguments be scheduled for next week, as he is out of town.

Due to the seriousness of the conduct, I am requesting your concurrence with the suspension of Police Officer Gordon Davis without pay, effective May 8, 2008.

Unless **contravened** by this Board the suspension without pay shall stand.

There were no contraventions.

**SUSPENSION WITHOUT PAY OF POLICE OFFICER RENNY SHELBY,
BADGE 1439, ASSIGNED TO NARCOTICS ENFORCEMENT**

On May 11, 2008, the Internal Affairs Alert Team was directed to respond to the Southfield Police Department regarding the arrest of Police Officer Renny Shelby, badge 1439, assigned to Narcotics Enforcement.

On May 10, 2008, at approximately 3:10 A.M., at a private residence in Southfield, Michigan, officers responded to a possible home invasion in progress. Upon arrival the officers observed Officer Shelby standing near his vehicle. He walked around his vehicle with his hands in the air and informed the officers that he was a Detroit police officer and that his handgun was in his left front pocket. Officer Shelby then stated, "I just ruined my career." When the officers asked why, he advised them to talk to the complainant.

The officers approached the residence and observed damage to the front door of the location and part of the lock was lying on the floor. The complainant stated that she was lying in bed with her friend when her cellular telephone began to ring. A short time later she heard knocking at her front door and then kicking. The complainant called 911. As the complainant was talking to the operator, her ex-boyfriend, Officer Shelby entered her bedroom and pulled out a black handgun and pointed it at her. The complainant informed Officer Shelby that she was on the telephone with the police.

Officer Shelby grabbed the telephone and threw it to the floor. After exchanging a few more words with the complainant, Officer Shelby walked out of the bedroom and proceeded to the living room to take his son. Officer Shelby returned to the complainant's bedroom, grabbed her by the arms and threw her onto the bed. Officer Shelby lifted the complainant's nightgown up and advised her friend that he had been intimate with her two weeks prior. The complainant pushed Officer Shelby away and continued to argue with him.

Officer Shelby advised the officers that he had finished work at 2:00 A.M., and was hanging out around the complainant's home because he was concerned about his son and the fact the complainant was seeing other men. He stated that he knocked on the door and the complainant did not answer so he kicked it in. The officers noted that Officer Shelby appeared to be intoxicated. Officer Shelby was arrested and conveyed to the Southfield Police Department for processing.

On May 11, 2008, the Oakland County Prosecutor's Office issued felony warrant #08-46500 charging Officer Shelby with one (1) count of Home Invasion – Second Degree and one (1) count of Assault with a Dangerous Weapon (Felony Assault).

On this same date, Officer Shelby was arraigned before Magistrate Kay Spinx, of the 46th District Court, he entered a plea of not guilty and bond was set at \$50,000. Officer Shelby was scheduled to appear on May 15, 2008, 8:30 A.M., for a Pre-Examination Hearing.

Also on May 11, 2008, the Alert Team suspended Officer Shelby. It should be noted that Officer Shelby's department issued weapon remains on evidence with the Southfield Police Department.

Based upon the above facts and circumstances, it is recommended that Officer Shelby be charged with, but not limited to, the following violation of the department Rules and Regulations:

CHARGE: CONDUCT UNBECOMING AN OFFICER, CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS; THIS BEING IN VIOLATION OF THE 2003 DETROIT POLICE DEPARTMENT MANUAL SERIES 100, DIRECTIVE 102.3 – 7.9, CONDUCT UNPROFESSIONAL, COMMAND 1.

Atty. Hooks indicated she had not spoken to Atty. Goldpaugh on this matter, so did not know whether or not he planned to contest this petition next week.

Due to the seriousness of the conduct, I am requesting your concurrence with the suspension of Police Officer Renny Shelby without pay, effective May 15, 2008.

Unless **contravened** by this Board the suspension without pay shall stand.

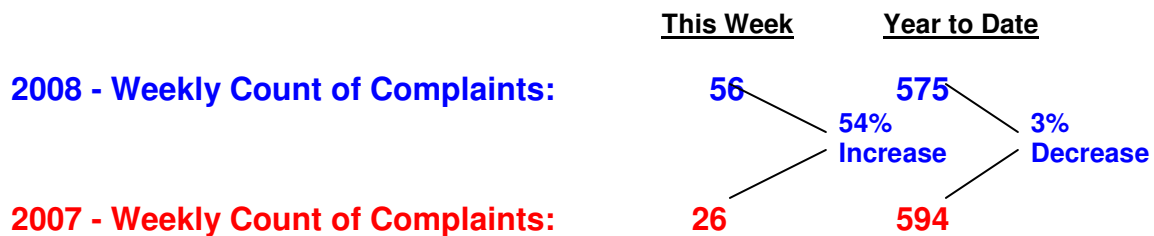
There were no contraventions.

OFFICE CLOSING

The Board of Police Commissioners' Office and the Office of the Chief Investigator will be **CLOSED** on the following date:

- Monday, May 26, 2008, in observance of Memorial Day.

CITIZEN COMPLAINTS RECEIVED



- The Office of the Chief Investigator has a total of **1,213** active investigations, of which **498** of those are for 2008.

TOTAL WEEKLY ALLEGATIONS & COMMAND

Total	COMMAND	ALLEGATIONS									Total
CCR	W/E 05/15/08	Arrest	Demeanor	Force	Harassment	Entry	Procedure	Property	Search	Service	Allegations
2	CENTRAL		1	1			1				3
3	COMMUNICATIONS		1							2	3
3	EASTERN		2				2			1	5
2	NARCOTICS		1	1			2	1	1		6
3	NORTHEASTERN		2				1			2	5
7	NORTHWESTERN		3	1	1	1	3	1	1	4	15
1	ORGANIZED CRIME						1	1			2
3	SOUTHWESTERN		1	1			3				5
3	TACTICAL SERVICES		1		1		2			1	5
20	Unknown Command	1	9	5	4	1	8		1	2	31
2	VIOLENT CRIMES		1	1							2
7	WESTERN		6		1		5			1	13
56		1	28	10	7	2	28	3	3	13	95

Chairperson Ramirez stated to the Chief of Police that the Board wants to know the status of the sustained cases received by her office.

Chief Bully-Cummings stated if this is pertaining to the paragraph in the Consent Decree, they have had conversations about it. Once the Chief Investigator's office forwards the finding(s) to her office, if there is misconduct, it is then sent to the Disciplinary Administration Unit for charges to be drafted. If you want the status, that will be labor intensive because the discipline process could take years.

Chairperson Ramirez stated exactly.

Chief Bully-Cummings stated she had a conversation with Attorney John Quinn regarding the Consent Decrees. They were trying to find a way to accomplish what the Consent Decree required. They agreed that once Disciplinary drafts the charges, it will be forwarded to the Office of the Chief Investigator.

Chairperson Ramirez stated some of the cases are not sustained and unfounded. But the sustained ones are the ones that concern the citizen complaint committee. They don't have a status of what is happening with that particular officer. They would like something from the department that states the status of that case.

Chief Bully-Cummings stated that's why a copy of the charges that are drafted will be forward to the Office of the Chief Investigator. She understands what the Commissioner is asking for but it is very time consuming because of personnel issues. At the Trial Board, they can terminate an officer, but a arbitrator can make them take that officer back. A personnel order is issued for every case, but that person can file for arbitration. She asked Lt. Kirkwood-Farrar to come and explain if there is a mechanism in place that will tell you the status of every case, because they don't separate them by CCR number—they are all misconduct.

Lt. Farrar stated her department forwards to Chief Inv. Sheard the same report they have forwarded to him in the past, but they will need the names. They do have a database that can provide that information if they have the officer's name.

Chairperson Ramirez asked Chief Inv. Sheard if that's how it was done before.

Chief Inv. Sheard stated yes it is, and they been receiving notification from Disciplinary with reference to sending the letters out to complainants of sustained cases. The cases may go through several other steps before they can get a status.

Chairperson Ramirez stated that there has to be an end solution and tracking from the beginning to the end for the ones that are sustained to know what is going on.

Comm. Okdie asked is this something that is being required by an external agency or is it something that we need to know for a plan.

Chairperson Ramirez stated the plan could be educational for the citizens.

Comm. Okdie asked is it because they feel like they need to know.

Chairperson Ramirez stated that's correct.

Chief Bully-Cummings stated what she is hearing, for example, is an officer is given four (4) days off, that isn't something they can tell the citizen. The MAS (Management Awareness System) is going to take care of a lot of that. You can't communicate to a citizen that an officer got three (3) days off.

Chairperson Ramirez stated no.

Chief Bully-Cummings stated that the process could take five (5) years if you are looking for an end. The only control that they have is they charge the officer for misconduct.

Comm. Okdie stated if it's a data base entry, can't they put a pending stipulation that states sustained with a possible appeal or something like that. He is having a problem understanding what the "need to know" is with regards to the specifics. It would satisfy him if it states sustained, charged, pending appeal, or something to that effect. He asked the Chief if she knows what he is trying to say.

Chief Bully-Cummings stated she does, but some officers don't appeal.

Comm. Okdie stated that's right.

Chief Bully-Cummings stated whatever the finding(s) are, they may not appeal. There may be some discussion that this mirrored 15 days, but we are only going to give you three (3) days under the disciplinary matrix.

Comm. Okdie asked how long after the determination does an officer have to appeal.

Chief Bully-Cummings stated within 14 days after the finding.

Comm. Okdie stated and if they don't appeal within the 14 days what happens.

Chief Bully-Cummings stated they lose their right to appeal.

Comm. Okdie stated then the database entry could read sustained charge, no appeal.

Atty. Hooks stated isn't it 20 days.

Cmdr. Wilson-Turner stated you're taking about two different things when you talk about the IMAS and disciplinary. She stated as the Chief mentioned, if an officer is going through the disciplinary process, it could take a while. She stated in the past, Chief Inv. Sheard gave a list of names with the CCR number and she provided that information to him. If you want the information for all the cases, the department doesn't have the manpower for that.

Comm. Okdie stated he doesn't need to know all of that.

Cmdr. Wilson-Turner stated she doesn't want to give him inaccurate information.

Chief Bully-Cummings asked what are you trying to accomplish.

Comm. Okdie stated he isn't sure.

Chief Bully-Cummings stated the penalty imposed or the charge or both.

Chairperson Ramirez asked what she can give them.

Cmdr. Wilson-Turner stated if you are asking for accurate information, they won't know that until the outcome of the case. After having conversations with Ms. Hooks, she was always provided with a list with the CCR number and the officer's name. She stated that it is labor intensive to sit down and give an answer to all of the cases.

Chairperson Ramirez asked Chief Inv. Sheard what is on the report that he gets from disciplinary.

Chief Inv. Sheard stated the report shows if non-disciplinary actions were taken. He stated the problem is that they will get a report that disciplinary actions were taken and then find out that the officer appealed that decision.

Comm. Okdie asked what is it that you need to know, and why.

Chief Inv. Sheard stated the Consent Decree requires that they send out a letter to each complainant letting them know if disciplinary corrective action was taken.

Comm. Okdie stated you are getting that now, right.

Chief Bully-Cummings stated no, he is not. They had a discussion about a week ago trying to figure out how they can comply with the Consent Decree's paragraph so that OCI is not sending out 4 or 5 letters. What they agreed to is when they draft the charges based on the report given to her, they will forward a copy of the charges to Chief Inv. Sheard. This way, he only needs to send one letter.

Comm. Okdie asked why can't there be a little disclaimer at the end of that paragraph that says "even though these actions have been taken, bear in mind that the officer has a right to appeal."

Chief Inv. Sheard stated because the monitor has a problem with it.

Chairperson Ramirez asked if he asked the monitor that.

Chief Inv. Sheard stated yes, when they read the final letter that goes out, the monitor states that it doesn't meet the paragraph requirements. It has to state whether or not there was disciplinary corrective action, non-disciplinary corrective action, or no action taken.

Comm. Okdie asked what other departments have to do this.

Chief Inv. Sheard stated none.

Comm. Okdie stated so, this is like virgin territory.

Chief Inv. Sheard stated that's correct.

Comm. Okdie stated they can't provide us with an example from somebody else as to what they want.

Chief Bully-Cummings stated they are not going to, because they don't make money that way. If that was the case, they would have given the department an example of everything for the Consent Decree to be in compliance.

Comm. Okdie stated okay.

Chief Bully-Cummings stated she thinks that they will be able to meet the requirements, because she is involved in it.

Chief Inv. Sheard stated and so is he along with Atty. Quinn and there is an ongoing conversation and they are looking at the issue that concerns the OCI in the Consent Decree, and it is being addressed with the Department of Justice to see if there is some magic language for the paragraph.

Comm. Okdie asked if the Board can receive a report on this when it is resolved or close to being resolved.

Chief Inv. Sheard stated yes.

Chief Bully-Cummings stated to the Commissioners that the department has put together a matrix because there are issues with the definition and the laws of the Consent Decree. The judge has asked the department to identify every paragraph where they felt that the law does not apply. She gave an example; she created Force Investigation and their only responsibility is to investigate critical firearm discharges and in-custody deaths. It didn't exist when they negotiated the Consent Decree. At the time of negotiations, they had the Board of Review, which consists of three command officers. The Board of review replicates the work of Force Investigations. They have been working collectively with the Department of Justice because there is an area that includes the Office of the Chief Investigator.

Chairperson Ramirez stated that answered the sheet, the other one was the list that once the OCI sends the sustained information, they get something back.

Chief Inv. Sheard stated they do receive a list that consists of the reviewed cases on a weekly basis from the Chief's office. However, that doesn't give them a clear picture of where they are in terms of the final stage.

Chairperson Ramirez stated the two departments will work something out.

Chief Inv. Sheard stated yes.

Chairperson Ramirez stated OCI will have to give the citizens something to let them know what has taken place.

She asked for more clarification from AC Godbee on his meeting with the towers, and Comm. Hampton's request for an update during last week's meeting.

AC Godbee stated it was a follow-up meeting with the concerns of the towers. They have agreed to work with the department to try to reach some of the objectives of the RFP. The RFP has been extended by 120 days, which was the idea of the group.

Chairperson Ramirez asked to know the follow up date.

AC Godbee stated Sept 15th is the new date for the proposals.

Chairperson Ramirez stated that is great and stated that the AC did an excellent job. She asked were they satisfied.

AC Godbee stated yes, ma'am.

Chairperson Ramirez stated she is glad to hear that it was postponed to Sept. 15th.

Chairperson Ramirez stated if there was a home invasion and the person's car was stolen, would that person have to pay for towing and storage fees.

AC Godbee stated homicides and sex crimes are the only exceptions where towing fees are waived.

Chairperson Ramirez stated they are waving the fees on this one for whatever reason. During the home invasion, they stole his car. They waived the fees but he couldn't get his car out because he had no insurance. So in order to get your car out of the storage facility you must have insurance.

Chief Bully-Cummings stated yes, that's the only way you are supposed to be driving on the street.

Chairperson Ramirez stated she didn't realize that but it makes sense you have to have insurance. That particular towing company didn't add on any storage fees. The individual was told if he gets it out today he would only have to pay \$41.00. She stated she wanted to put it on record that you need insurance to get your car out of storage.

She asked the Chief, now that City Council voted 5-4 on (not to have) the promotion exam where does that stand.

Chief Bully-Cummings stated she has not cancelled the exam. What was before City Council was the approval of the contract for the consultant, not to negotiate a contract, which is the purview of the Administration Branch.

Chairperson Ramirez stated the 1600 police officers will be very happy.

Chief Bully-Cummings stated they issued a tele-type informing the members what they can't bring to the test site. She stated City Council has never informed her that they had cancelled the exam.

Chairperson Ramirez stated she was curious as to the status and stated she felt bad for the 1600 officers.

Chief Bully-Cummings stated unless someone can tell her that City Council did cancel the exam and she has not canceled it.

Chairperson Ramirez stated she didn't know the status because of the 5-4 vote. She asked is the exam on or off.

Chief Bully-Cummings stated it's been on every since it was announced.

Chairperson Ramirez stated thank you.


5. PRESENTATION/REPORT-CHIEF OF POLICE

May 15, 2008

Volume 4, Issue 20

Detroit Police Department

Report to the Board of Police Commissioners



“Building a Safer Detroit Through Community Partnerships”

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take the guns and drugs off the streets of the city of Detroit.

SPECIAL ENFORCEMENT ACTIONS

Narcotics/Gang Enforcement

During the period of May 5, 2008 through May 11, 2008, **Narcotics/Gang Enforcement executed 38 search warrants and 49 street enforcement actions** within the boundaries of the city of Detroit resulting in the following arrests and confiscations:

- 42 Felony arrests
- 132 Misdemeanor arrests
- 12 Juveniles

Confiscated:

- 540.70 grams of cocaine, 52.5 grams of heroin, 13,162.50 grams of marijuana and 110 pills, with a total street value of \$364,529.60
- **\$ 17,122.00** in U.S. Currency
- 15 Handguns

Investigative Operations

On May 4th, officers of the North-eastern District responded to the 13000 block of Helen on “Larceny/ Burning Wires.” *Two subjects were arrested after being observed by officers’ cutting suspected telephone wire from a utility pole and place it inside of a vehicle. After a thorough investigation by investigative operations, the subjects were charged with “Malicious Destruction of Utility Property,” and “Receiving & Concealing Stolen Property.” The wire damage was accessed at \$2,200.00.*

Special Points of Interest:

- **Next meeting:**
Thursday, May 22, 2008
@ 3:00 P.M.

Detroit Police Department
1300 Beaubien St.
Detroit, Michigan 48226

Inside this issue:

Narcotics/Gang Enforcement	1
Investigative Operations	1
Northwestern District	2
Central District	2
Eastern District	2
Southwestern District	2
Western District	2

Engaging the Community

ATTENTION

Citizens wishing to make a police report may do so at the District stations in the city of Detroit. Citizens may also utilize the following District Sub-Stations to make reports.

	<u>Location</u>	<u>Hours of Operation</u>	<u>Telephone</u>
	2151 E. Jefferson	24 Hours	596-6400
	7737 Kercheval	7 a.m. to 3 p.m.	628-2121
	19810 Grand River	10 a.m. to 3 p.m.	935-5322
	13530 Lesure	8 a.m. to 11 p.m.	596-5300
	12000 Livernois	24 Hours	237-2555

May 15, 2008

Police / Community Intervention

Page 1

Northwestern District

On May 9th, officers of the Northwestern District, responded to the area of Evergreen and W. Seven Mile Road on a "Breaking & Entering" in progress. *Due to the officers quick response, a subject was arrested and later charged with "Breaking & Entering a Building."* A metal object and locks from the business were recovered.



Eastern District

On May 9th, officers of the Eastern District along with officers of another agency were investigating an "Assault with Intent to Murder" that occurred on April 25, 2008. *Due to the officers investigation along with information from citizens, they were able to locate and arrest the subject and recover the weapon used in the shooting.*



Southwestern District

On May 8th, while on patrol, officers of the Southwestern District received information broadcasted via radio regarding a vehicle wanted for "Armed Robbery/Kidnapping." *Shortly after, the officers observed the vehicle. Officers conducted an investigation of the vehicle, all subjects involved were immediately arrested and charged with "Robbery Armed," "Carjacking," "Home Invasion," and "Kidnapping."*



Western District

On May 7th, officers of the Western District responded to the area of McNichols and Livernois on a "Robbery Armed/Citizen." *Due to the officers' diligence, the investigation led to two subjects being taken into custody, and subsequently processed through the Wayne County Youth Home for "Robbery."*



Chief Bully-Cummings stated yesterday the department officially opened the new Central District. It was well attended and the officers are extremely happy about their new home.

They also had an award ceremony this past Monday, to present the officers who showed heroic actions in the line of duty.

Chairperson Ramirez stated she had the pleasure of getting a tour by Sgt. Miller of the Central District.

Chief Bully-Cummings asked did she get a chance to view the memorial wall.

Chairperson Ramirez stated yes, and it was very touching. She asked is the memorial going to stay there.

Chief Bully-Cummings stated it will stay there until the department gets a new police headquarters, because most of the services for the citizens have moved to the new Central District location.

Chairperson Ramirez stated it was very touching and she urged her fellow Commissioners to go and see it. She thought the building was excellent and Sgt. Miller was very proud of the new lockers. She also got a view of where they held the Trial Board and it is set up like a courtroom.

She stated most of the furniture was used furniture and in very good condition.

Chief Bully-Cummings stated yes, they are trying to do the best they can. There are personnel members in the department that have builder's licenses. The 500 Clinton door will be shut down and 1300 (Beaubien) will be open 24 hours with a room and a counter that was built by members of the department for the citizens to come and make their reports.

Chairperson Ramirez stated the officers' moral was pretty good and of course there are a few that you will never please. She stated maybe they can get an exercise room in the new location so the officers can relieve some stress.

6. STANDING COMMITTEE REPORTS

There were no committee reports.

7. NEW BUSINESS

There were no committee reports.

8. OLD BUSINESS

- 1. GRANT: REQUEST PERMISSION TO ACCEPT GRANT FUNDING FOR OVERTIME FROM THE SOUTHWEST DETROIT BUSINESS ASSOCIATION**
- 2. GRANT: REQUEST PERMISSION TO ACCEPT AN INCREASE IN THE FISCAL YEAR 2007 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)**

The adoption of the Grants was reserved because of the lack of a quorum.

3. RESOLUTION- LAVENRE SAMUELS

The adoption of the Resolution was reserved because of the lack of a quorum.

9. ANNOUNCEMENT OF NEXT MEETING

Thursday, May 22, 2008, @ 3:00 p.m.
Police Headquarters
1300 Beaubien Rm. 328-A
Detroit, MI 48226

Chairperson Ramirez stated that the BOPC will hold their Community Fun Day, June 21, 2008, at Patton Park; and the Board will also be holding a Town Hall Meeting, June 12, 2008, and the theme is "Involving Citizens in Policing" in conjunction with the Detroit Police Department".

10. ORAL COMMUNICATION FROM THE AUDIENCE

S. Black stated she received a final letter from the OCI regarding a complaint she had against a detective and she doesn't quite understand it. The letter states that they spoke with the detective and it was her word against his. She wanted to know why her evidence was not trustworthy.

Chief Inv. Sheard stated he will discuss this case with Ms. Black after the meeting. However, their standard is a preponderance of the evidence. If they have two people that are saying two different things according to that standard they can find no one at fault. One would offset the other and it would be not sustained.

S. Black stated he just mentioned that two people are saying two different things. If she has the time, she can tell the Board what happened.

Chairperson Ramirez stated Chief Inv. Sheard will speak to you.

Comm. Okdie asked what would you like this Board to do.

S. Black stated she would like for this detective to apologize to her.

Comm. Okdie stated there are two things. One is that we have a process and a procedure in place, which we have to follow along with the recommendations from the OCI. He (Mr. Sheard) is going to have a discussion with you, if you are willing, after the meeting. The second part is that Mr. Sheard will convey to this Board the outcome of that discussion. For the Board to overrule or discount what they are doing is inappropriate and they can't do that.

S. Black stated she understands, so is she being told that this complaint will be looked at again after their discussion.

Comm. Okdie stated he doesn't know what Mr. Sheard has in mind.

Chairperson Ramirez stated the only way that complaint will be looked at is if there is any new evidence.

S. Black stated thank you.

Chairperson Ramirez stated if she needs to make a call to Ms. Black she will.

S. Black stated she appreciates that, but there is no other evidence.

T. Morris stated during her time on the force, if a car was impounded and they didn't have insurance, they could have a tow truck and get it towed off the lot, but they couldn't drive it.

Stated if there are extenuating circumstances, isn't there something in the books that states that fees can be waived.

Chairperson Ramirez stated there are certain circumstances, such as car jacking and sex crimes.

Chief Bully-Cummings stated there are some extenuating circumstances where a request can be made and the department will work with the tower.

T. Morris stated do you weigh the credibility of an officer once a citizen makes a report.

Chief Bully-Cummings stated the issue becomes you have one person saying something versus another person and under the Consent Decree, they are not and can not give more credence to what an officer says versus what a citizen says. So they are given equal weight. When you have a "he-said-she-said" with no independent unbiased witness, then they are both given equal weight.

T. Morris stated you just answered my question by stating establishing more evidence.

Chief Bully-Cummings stated they don't give police officer's testimony more weight than anyone else's testimony.

Chairperson Ramirez stated this is where the early warning system will come into play.

Chief Bully-Cummings stated they are data testing it.

Chairperson Ramirez the early warning system will let the department know if the officer gets three or more warnings, but she still isn't sure how it will be done.

Chief Bully-Cummings stated the threshold is different for some commands. An example would be people working in staff positions, versus someone who is working narcotics or scout patrol.

Chairperson Ramirez stated the flag is going to help the department and it could show the positive side as well as the negative.

11. **ADJOURNMENT**

The meeting was adjourned at 4:06 p.m.

Respectfully submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/rb